

UNITED STATES BANKRUPTCY COURT

Eastern District of Michigan (Detroit)

In re Richard A. Small

Debtor

Case No. 12-61089

Chapter 13

Notice of Mortgage Payment Change

If you file a claim secured by a security interest in the debtor's principal residence provided for under the debtor's plan pursuant to § 1322(b)(5), you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor: Bank of America, N.A.

Court claim no. (if known): 2

Last four digits of any number you
use to identify the debtor's account: 5627

Date of payment change:

Must be at least 21 days after date of this notice

10/01/2013

New total payment:

Principal, interest, and escrow, if any

\$790.82

Part 1: Escrow Account Payment Adjustment

Will there be a change in the debtor's escrow account payment?



No



Yes.

Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law.

Describe the basis for the change. If a statement is not attached, explain why:

Current escrow payment: \$309.86

New escrow payment: \$266.95

Part 2: Mortgage Payment Adjustment

Will the debtor's principal and interest payment change based on an adjustment to the interest rate in the debtor's variable-rate note?



No



Yes.

Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law.

If a notice is not attached, explain why:

Current interest rate: _____

New interest rate: _____

Current principal and interest payment: _____

New principal and interest payment: _____

Part 3: Other Payment Change

Will there be a change in the debtor's mortgage payment for a reason not listed above?



No



Yes.

Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: _____

Current mortgage payment: _____

New mortgage payment: _____


Part 4: Sign Here

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number if different from the notice address listed on the proof of claim to which this Supplement applies.

Check the appropriate box:

☒ I am the creditor. ☐ I am the creditor's authorized agent.
(Attach a copy of power of attorney, if any.)

I declare under penalty of perjury that the information provided in this Notice is true and correct to the best of my knowledge, information, and reasonable belief.

 /s/ Jessica Duran Date 08/21/2013
Assistant Vice President

Print: Jessica Duran Title Assistant Vice President

Company Bank of America, N.A.

Address 2380 Performance Dr.
Richardson, TX 75082

Specific Contact Information:

Phone: 214-209-8459

Email: jessica.duran@bankofamerica.com

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UNITED STATES BANKRUPTCY COURT

Eastern District of Michigan (Detroit)

Chapter 13 No. 12-61089

Judge: Judge Phillip J Shefferly

In re:

Richard A. Small

Debtor(s).

CERTIFICATE OF SERVICE

I hereby certify that on August 21, 2013, I have served a copy of this Notice and all attachments to the following by U.S. Mail, postage pre paid, or via filing with the US Bankruptcy Court's CM ECF system.

Debtor: Richard A. Small
9997 Rutland Street
Detroit, MI 48227

Debtor's Attorney: Jesse R. Sweeney
30555 Southfield
Suite 400
Southfield, MI 48076

Trustee: David Wm Ruskin
26555 Evergreen Rd Ste 1100
Southfield, MI 48076-4251

/s/ Bill Taylor

Authorized Agent

0026418 01 AT 0.381 **AUTO T3 2 0867 48227-1022
MSO L1 AG 074-----0--2-9B C0000077 IN P26444

RICHARD A SMALL
9997 Rutland St
Detroit MI 48227-1022



IMPORTANT MESSAGE ABOUT YOUR LOAN

Enclosed is an escrow analysis for your loan. The purpose of this notification is to advise you that the escrow portion of your payment is changing to \$266.95 effective October 01, 2013. This notification is for informational purposes only. Your next billing statement will arrive shortly.

ADDITIONAL INFORMATION

Principal balance	\$73,627.51
Unapplied funds	\$877.65

This informational notice is being sent to the following borrowers at address set forth above in reference to the chapter 13 bankruptcy filing: RICHARD A SMALL

WHAT YOU NEED TO DO

Please keep this notification for your records.

THANK YOU FOR YOUR BUSINESS

For additional information regarding your escrow analysis, or any other account details, call 1.800.669.5224, Monday-Friday 7a.m. - 7p.m. Local Time.



**ESCROW ACCOUNT REVIEW****ESCROW
EXPLAINED**

This escrow statement is being sent for **informational purposes only**. It should not be construed as an attempt to collect a debt or to modify the terms of your chapter 13 plan. Note that your chapter 13 bankruptcy plan may provide for the Trustee to pay escrow amounts outstanding on your loan as of the date you filed your bankruptcy case or may otherwise provide for the Trustee to pay amounts due to escrow.

Part of your monthly loan payment goes into an account to pay for your property taxes and insurance premiums. During the year, payments are made out of this account when tax or insurance bills come due. This notice describes any changes needed in your monthly payment to maintain enough money in your escrow account to pay these bills. In our step-by-step analysis, we determine the data shown below to calculate your new escrow payment.

If this is your first escrow statement after filing your chapter 13 bankruptcy, this escrow account review was performed as of the date that you filed for bankruptcy and your new monthly escrow payment has been calculated in accordance with applicable bankruptcy law. The amount shown in the Summary section below as the New monthly home loan payment is the updated and correct amount due for the month shown. If you previously received a monthly coupon for the same due date, the payment amount below is intended to replace the coupon you previously received, as the coupon was prepared and sent before we had notice of your chapter 13 bankruptcy filing. If you are making your monthly mortgage payments under your chapter 13 plan, please send the New monthly home loan payment amount shown below.

If this is an annual escrow statement provided during your chapter 13 bankruptcy, we have prepared this escrow statement to track your escrow obligations during the period when you are making payments under the terms of your chapter 13 plan.

If you have filed a chapter 13 plan that provides for maintaining your home, our step-by-step analysis is based on the assumption that you will be making your chapter 13 plan payments, including plan payments to cure amounts due from the period before your bankruptcy filing or otherwise due under your chapter 13 plan. If you are unable to complete your plan payments and your case is dismissed, converted to a chapter 7, or the automatic stay is lifted, then your monthly escrow payment will need to be recalculated to account for the cure amounts still due from the period before your bankruptcy filing or otherwise due under your chapter 13 plan.

See below for:

- an in-depth explanation of each step of your escrow analysis
- side-by-side comparison of last year's projected and actual data

SUMMARY

Base amount needed (<i>see Step 1</i>)	The expected monthly amount needed to pay your property taxes and insurance premiums	\$266.95
Shortage payment (<i>see Step 2</i>)	The monthly amount you must pay into your escrow account to keep the balance from falling below zero during the year	\$0.00
Reserve requirement (<i>see Step 3</i>)	The monthly amount allowed by federal law for unexpected tax and insurance increases and other costs	\$0.00
New monthly escrow payment (<i>see Step 4</i>)		\$266.95
New monthly home loan payment effective 10/2013 (<i>see Step 4</i>)		\$790.82

In future escrow analyses, Bank of America, N.A. reserves the right to assess the amount allowed by federal law for unexpected tax and insurance increases and other costs.

HOW WE CALCULATE YOUR ESCROW PAYMENT**STEP 1****Determine base amount needed for the year**

<i>Escrow items</i>	<i>Amount needed</i>	<i>Frequency in months</i>	<i>Monthly amount needed</i>
Homeowners insurance	\$655.20	12	\$54.60
City taxes	1,105.14	12	92.10
Tax taxes	1,443.00	12	120.25
Total monthly base payment amount			\$266.95

STEP 2**Determine lowest projected balance**

In the chart located below, we project the amounts you will pay into your escrow account next year and the amounts we will pay out for your insurance and tax bills. Remember, these figures are only projections and may not reflect the actual payments made at the time they are due.

<i>Month</i>	<i>Escrow deposit(s)</i>	<i>Tax payment(s)</i>	<i>Insurance payment(s)</i>	<i>MIP/PMI payment(s)</i>	<i>Balance</i>
Post-Petition Beginning balance					\$1,348.54
October 2013	266.95				1,615.49
November 2013	266.95				1,882.44
December 2013	266.95	1,443.00			706.39 *
January 2014	266.95				973.34
February 2014	266.95				1,240.29
March 2014	266.95				1,507.24
April 2014	266.95				1,774.19
May 2014	266.95				2,041.14
June 2014	266.95				2,308.09
July 2014	266.95	1,105.14			1,469.90
August 2014	266.95		655.20		1,081.65



STEP 2**Determine lowest projected balance - Continued**

Month	Escrow deposit(s)	Tax payment(s)	Insurance payment(s)	MIP/PMI payment(s)	Balance
September 2014	266.95				1,348.60
Post-Petition Ending balance					\$1,348.60
*Lowest projected balance					\$706.39
Shortage payment amount					\$0.00

The Post-Petition Beginning and Ending balances above are projected balances, which assume that all payments due under your chapter 13 bankruptcy plan will be made, including your regularly scheduled mortgage payments due after the bankruptcy filing and all plan payments to cure amounts due from the period before your bankruptcy filing or otherwise due under your chapter 13 plan.

* Using the Post-Petition balances, your Lowest projected balance (LPB) reflects a positive balance (a balance greater than zero). In the next step, we will compare this amount to your escrow reserve requirement to determine if there is an overage.

STEP 3**Determine reserve requirement**

Federal law allows for the collection of a reserve amount to maintain a cushion for unexpected tax and/or insurance increases and other costs. The reserve used for this period is shown below.

Lowest projected balance (<i>see step 2 above</i>)	\$706.39	
Total reserve requirement (16.6% of the base amount) *	531.75	
Additional amounts required	.00	
Monthly reserve requirement (\$0.00 divided by 12)		\$0.00
Potential overage	\$174.64	

* Base amount equals the total of payments anticipated to be paid out of the escrow account during the year but excludes Private Mortgage Insurance (PMI) or MIP amounts.

Using your Post-Petition Beginning balance, the projections above reflect that your Lowest Projected Balance (LPB) exceeds the reserve requirement amount and that there is a Potential overage. However, your Lowest Projected Balance (LPB) assumes that you are current in making payments that were due after your bankruptcy filing and that you have paid all escrow amounts due from the period before your bankruptcy filing. If you still have several months or years prior to the completion of your chapter 13 plan then you may not have an actual overage.

To determine if you have an actual overage of escrow funds, Bank of America, N.A. will adjust the Potential overage to account for any escrow amounts that remain unpaid from the period before your bankruptcy filing or otherwise due under the terms of your chapter 13 plan. This adjustment is necessary to ensure your current escrow account balance in fact has a surplus of funds. If your account still shows an overage and you are current under the terms of your chapter 13 plan, we will send a refund in accordance with applicable law. Please note that we are unable to forward overage checks if your loan is undergoing a loan assumption.

For more information on how Bank of America, N.A. tracks your actual overage please call 1.800.669.5224, Monday-Friday 7a.m. - 7p.m. Local Time.

STEP 4**Determine monthly payments****Calculation of monthly escrow payments**

Base amount needed for taxes and/or insurance (<i>see Step 1</i>)	\$266.95
Shortage payment (<i>see Step 2</i>)	.00
Reserve requirement (<i>see Step 3</i>)	.00
Total monthly escrow payment	\$266.95

Calculation of monthly home loan payment

Principal and/or interest	\$523.87
Total monthly escrow payment	266.95
Total monthly home loan payment effective 10/2013	\$790.82

**LAST YEAR
IN REVIEW****Current analysis compared to previous**

	Monthly	
<i>Amount needed for taxes and insurance</i>	<i>Last analysis</i>	<i>This analysis</i>
Homeowners insurance	\$54.60	\$54.60
FHA MIP	29.98	.00
City taxes	104.82	92.10
City taxes	120.45	120.25
Total base escrow payment	\$309.86	\$266.95
Shortage payment	.00	.00
Reserve requirement	.00	.00
Rounding amount	.00	.00
Monthly escrow payment	\$309.86	\$266.95
Principal and/or interest	\$523.87	\$523.87
Monthly escrow payment	309.86	266.95
Total payment amount	\$833.73	\$790.82

Summary of escrow change

As shown, your base escrow amount decreased. Your reserve percentage remained unchanged. Your reserve payment remained unchanged. The result of these factors caused your total escrow payment to decrease. Additionally, you were left with a(n) overage.



A side-by-side comparison of last year's projected escrow account activity and actual activity can be found below.

Last year's escrow payments

If you have recently filed a chapter 13 bankruptcy, then we have provided below a side-by-side comparison of your prior projected escrow account activity to the actual account activity.

If this is an annual escrow statement provided during your chapter 13 bankruptcy, then the projected escrow account activity below was performed in accordance with the terms of your chapter 13 plan. At the same time, we also maintained a separate accounting that reflected your escrow account activity as would be provided under the terms of your loan documents outside of bankruptcy (shown below under the heading "Actual"). The Actual escrow activity includes both the receipt of your regular monthly mortgage payments to escrow and any cure payments made under the terms of your chapter 13 plan for escrow amounts due from the period before your bankruptcy filing or otherwise due under your chapter 13 plan. Below is the side-by-side comparison of the plan projected activity to the actual activity for last year. Upon the completion of your chapter 13 plan, if all payments due under the chapter 13 plan are received and taxes and insurance were paid in the amounts anticipated then the projected and actual ending balances should match. If you are unable to complete your chapter 13 plan payments and your case is dismissed, converted to a chapter 7, or the automatic stay is lifted, then the actual accounting shown below will be used in performing your next escrow analysis.

Projected					Actual				
Date	Activity	Paid In	Paid Out	Balance	Date	Activity	Paid In	Paid Out	Balance
	Beginning balance			\$1,163.34		Beginning balance			-\$2,334.30
10/01/2012	Oct Payment	309.86		1,473.20	10/04/2012	FHA MIP payment		29.98	-2,364.28
10/02/2012	FHA MIP		29.98	1,443.22	11/06/2012	FHA MIP payment		29.98	-2,394.26
11/01/2012	Nov Payment	309.86		1,753.08	12/06/2012	FHA MIP payment		29.98	-2,424.24
11/02/2012	FHA MIP		29.98	1,723.10	12/20/2012	City tax pmt	1,443.00		-3,867.24
12/01/2012	Dec Payment	309.86		2,032.96	01/07/2013	FHA MIP payment		29.98	-3,897.22
12/02/2012	FHA MIP		29.98	2,002.98	02/06/2013	FHA MIP payment		29.98	-3,927.20
12/02/2012	City taxes		1,445.43	557.55 *	03/06/2013	FHA MIP payment		29.98	-3,957.18
01/01/2013	Jan Payment	309.86		867.41	04/04/2013	FHA MIP payment		29.98	-3,987.16
01/02/2013	FHA MIP		29.98	837.43	05/06/2013	FHA MIP payment		29.98	-4,017.14
02/01/2013	Feb Payment	309.86		1,147.29	06/06/2013	FHA MIP payment		29.98	-4,047.12 *
02/02/2013	FHA MIP		29.98	1,117.31	06/19/2013	Oct Payment	291.47		-3,755.65
03/01/2013	Mar Payment	309.86		1,427.17	06/19/2013	Nov Payment	291.47		-3,464.18
03/02/2013	FHA MIP		29.98	1,397.19	06/19/2013	Dec Payment	291.47		-3,172.71
04/01/2013	Apr Payment	309.86		1,707.05	06/19/2013	Jan Payment	291.47		-2,881.24
04/02/2013	FHA MIP		29.98	1,677.07	06/19/2013	Feb Payment	291.47		-2,589.77
05/01/2013	May Payment	309.86		1,986.93	06/19/2013	Mar Payment	291.47		-2,298.30
05/02/2013	FHA MIP		29.98	1,956.95	06/19/2013	Apr Payment	291.47		-2,006.83
06/01/2013	Jun Payment	309.86		2,266.81	06/19/2013	May Payment	291.47		-1,715.36
06/02/2013	FHA MIP		29.98	2,236.83	06/19/2013	Jun Payment	291.47		-1,423.89
07/01/2013	Jul Payment	309.86		2,546.69	07/05/2013	FHA MIP payment		59.96	-1,483.85
07/02/2013	FHA MIP		29.98	2,516.71	07/25/2013	Jul Payment	291.47		-1,192.38
07/02/2013	City taxes		1,257.88	1,258.83	07/29/2013	City tax pmt		1,105.14	-2,297.52
08/01/2013	Aug Payment	309.86		1,568.69	08/12/2013	Aug Payment	291.47		-2,006.05 P
08/02/2013	Homeowners insurance		655.20	913.49	08/12/2013	Sep Payment	291.47		-1,714.58 P
08/02/2013	FHA MIP		29.98	883.51	08/20/2013	Homeowners insurance		655.20	-2,369.78 P
09/01/2013	Sep Payment	309.86		1,193.37		Ending balance			-\$2,369.78
09/02/2013	FHA MIP		29.98	1,163.39					
	Ending balance			\$1,163.39					

* Lowest projected balance

P - The letter (P) beside an amount indicates that the payment or disbursement has not yet occurred but is estimated to occur as shown.

In performing the projection above, Bank of America, N.A. assumed that all regularly scheduled mortgage payments would be made that were due prior to the projection period.

